

FILED

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JUN 11 2025

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.
)
RAFAEL ESPINOZA-SANCHEZ,)
)
Defendant.)

4:25CR309-RWS/SPM

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Matthew T. Drake, Acting United States Attorney for the Eastern District of Missouri, and Dianna Edwards, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

The Bail Reform Act requires that before conducting a requested detention hearing, the court is to determine that the case is eligible for said hearing under section 3142(f). Section 3142(f)(1) authorizes a detention hearing in a case involving (1) a crime of violence; (2) an offense carrying a penalty of life imprisonment or death; (3) a federal drug offense carrying a penalty of ten years or more; (4) a felony following convictions for two or more of the three foregoing offenses; or (5) any felony that is not otherwise a crime of violence that involves a minor victim, or that involves the possession or use of a firearm or destructive device or any other dangerous weapon or involves a failure to register as a sex offender. 18 U.S.C. §3142(f)(1). In this case,

Defendant is charged with illegal reentry under Title 8, United States Code, Section 1326(a), which are not one of the crimes enumerated under § 3142(f)(1).

However, the court may hold a hearing on its own motion or the government's motion in a case that involves a serious risk of flight or a serious risk that the person will obstruct or attempt to obstruct justice; threaten, injure or intimidate or attempt to threaten, injure or intimidate a prospective witness or juror. 18 U.S.C. §3142(f)(2).

The Government formally moves for detention and in support of states as follows:

1. Defendant is charged with unlawful re-entry into the United States by a removed alien, in violation of Title 8, United States Code, Section 1326. The facts are as follows: The Defendant was arrested for the crime of "leaving the scene of an accident on April 14, 2025, which resulted in a conviction on May 14, 2025, and he was sentenced to 5 years probation. The Defendant was arrested by immigration officials on June 4, 2025. The Defendant has a previous order of removal by the United States Border Patrol on April 18, 2019.
2. Pursuant to Title 18, United States Code, Section 3142(g),
 - (a) the weight of the evidence against the Defendant - the Defendant is currently in the Eastern District of Missouri after having been removed from this country once before. His presence in our country is unlawful;
 - (b) defendant's history and characteristics - the Defendant is a citizen of Mexico and has no legal status in this country. It appears that the Defendant has no connection to our area. The Defendant is a serious flight risk.

These factors warrant Defendant's detention pending trial.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required and the safety of any other person and the community and the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

MATTHEW T. DRAKE
ACTING UNITED STATES ATTORNEY

/s/*Dianna Edwards*
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